

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ANTHONY NEWTON,

Plaintiff,

v.

T. AKKAD et al.,

Defendants.

Case No. 2:20-cv-01402-JAD-EJY

ORDER

Pending before the Court is Plaintiff's Motion to Stop the Notice Regarding Intention to Dismiss Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. ECF No. 11. In his Motion Plaintiff explains that since the inception of this matter he has received two documents from the Court. These include the Advisory Letter sent on July 28, 2020 (ECF No. 2) and the Notice of Intent to Dismiss filed on January 19, 2022. ECF No. 10. Plaintiff did not receive a copy of the Screening Order, the summons issued to Defendant T. Akkad or the return of the summons unexecuted. ECF Nos. 4, 6, and 7.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion to Stop the Notice Regarding Intention to Dismiss (ECF No. 11) is GRANTED and the Clerk of Court shall not, at this time, dismiss this matter under Fed. R. Civ. P. 4(m).

IT IS FURTHER ORDERED that to the extent the requirements of the Screening Order (ECF No. 4) regarding payment of the filing fee have not been fulfilled, the Clark County Detention Center must pay to the Clerk of the United States District Court, District of Nevada, 20% of the preceding month's deposits to the account of Anthony Newton, #1502184 (in months that the account exceeds \$10.00) until the full \$350 filing fee has been paid for this action. If Mr. Newton gets transferred and comes under the care of the Nevada Department of Corrections, the CCDC Accounting Supervisor is directed to send a copy of this Order to the attention of the Chief of Inmate Services for the Nevada Department of Corrections, P.O. Box 7011, Carson City, NV 89702, indicating the

1 amount that Mr. Newton has paid towards his filing fee, so that funds may continue to be deducted
2 from Mr. Newton's account.

3 IT IS FURTHER ORDERED that the Clerk of Court shall mail a copy of this Order, as well
4 as ECF Nos. 4, 6, and 7 to Plaintiff at the following address, which was provided by him:

5 Anthony Newton
6 #1502184
7 333 S. Casino Center Blvd.
Las Vegas, NV 89101

8 IT IS FURTHER ORDERED that, at the same time ECF Nos. 4, 6, and 7 are mailed to
9 Plaintiff, the Clerk of Court shall also mail to Plaintiff a USM-285 form. Plaintiff must return the
10 completed USM-285 form to the U.S. Marshal Service no later than **March 4, 2022**. The completed
11 USM-285 should be mailed to:

12 Gary Schfield
13 U.S. Marshal
14 Lloyd D. George United States Courthouse
333 Las Vegas Blvd. South, #2058
Las Vegas, NV 89101

15 IT IS FURTHER ORDERED that the Clerk of Court shall issue a second summons to
16 Defendant T. Akkad and deliver it, along with a copy of the Complaint and the Screening Order
17 (ECF Nos. 4 and 5), to the U.S. Marshal Service for service on T. Akkad.

18 IT IS FURTHER ORDERED that the U.S. Marshal Service shall attempt service on
19 Defendant T. Akkad within **fourteen (14)** days of receipt of the completed USM-285, and thereafter
20 file a notice showing whether service has been accomplished.

21 IT IS FURTHER ORDERED that the Clerk of Court must change Plaintiff's address in the
22 CM/ECF filing system to reflect his address above.

23
24 Dated this 3rd day of February, 2022.

25
26 
27 ELAYNA J. YOUCHAK
28 UNITED STATES MAGISTRATE JUDGE